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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,	)	No. CR-11-00623 SBA
	)	
11 Plaintiff,	)	STIPULATED REQUEST TO CONTINUE
	)	HEARING DATE TO NOVEMBER 14,
12 v.	)	2011 AND TO EXCLUDE TIME UNDER
	)	THE SPEEDY TRIAL ACT AND ORDER
13	)	
14 BOBBIE RAY ALEXANDER,	)	
	)	Hearing Date: October 17, 2011
15 Defendant.	)	Time: 10:00 a.m.
	)	
	)	

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16  
17 The above-captioned matter is set on October 17, 2011 before this Court for a status  
18 hearing. The parties jointly request that the Court continue the matter to November 14, 2011 at  
19 10:00 a.m., and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. §§  
20 3161(h)(7)(A) and (B)(iv), between October 17, 2011 and November 14, 2011.

21 On September 1, 2011, the Grand Jury charged Bobbie Ray Alexander as a felon in  
22 possession of a firearm, in violation of 18 U.S.C. § 922(g). He faces a statutory maximum of ten  
23 years in custody. Mr. Alexander made his initial appearance on September 15, 2011, and the  
24 magistrate court detained Mr. Alexander on September 27, 2011.

25 The current status of the case is that the parties are negotiating this matter and anticipate  
26 that there will be a negotiated disposition of the case. In the meantime, the government has

1 produced discovery to the defense and defense counsel needs additional time to review and  
2 process the discovery provided and to discuss those materials with her client. The defense also  
3 requires additional time to complete its investigation of the circumstances of the offense and to  
4 collect Mr. Alexander's prior conviction records to prepare an estimate of his anticipated  
5 Guidelines range.

6 The requested continuance will allow the defense to complete its review of the discovery,  
7 to investigate the underlying facts of the case, and to obtain and review records. For this reason,  
8 the parties agree that the failure to grant this continuance would unreasonably deny counsel for  
9 defendant the reasonable time necessary for effective preparation, taking into account the  
10 exercise of due diligence.

11 The parties further stipulate and agree that the ends of justice served by this continuance  
12 outweigh the best interest of the public and the defendant in a speedy trial. Accordingly, the  
13 parties agree that the period of time from October 17, 2011 to November 14, 2011, should be  
14 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A)  
15 and (B)(iv), for effective preparation of defense counsel, taking into account the exercise of due  
16 diligence.

17 DATED: October 13, 2011

\_\_\_\_\_  
/S/  
WADE RHYNE  
Assistant United States Attorney

19 DATED: October 13, 2011

\_\_\_\_\_  
/S/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

1 **ORDER**

2 Based on the reasons provided in the stipulation of the parties above, the Court hereby  
3 FINDS:

4 1. Given that the government has produced discovery in this case and that defense  
5 counsel needs time to complete its review the discovery and to discuss the discovery materials  
6 with her client;


7 2. Given that the defense needs additional time to continue to investigate the  
8 underlying facts of the case and to obtain records to calculate defendant's sentencing Guidelines  
9 range;

10 3. Given that these above-listed tasks are necessary to the defense preparation of the  
11 case and that the failure to grant the requested continuance would unreasonably deny counsel for  
12 defendant the reasonable time necessary for effective preparation, taking into account the  
13 exercise of due diligence;

14 4. Given that the ends of justice served by this continuance outweigh the best  
15 interest of the public and the defendant in a speedy trial;

16 Based on these findings, IT IS HEREBY ORDERED that the STATUS date of October  
17 17, 2011 scheduled at 10:00 a.m., before the Honorable Saundra Brown Armstrong, is vacated  
18 and reset for November 14, 2011 at 10:00 a.m. It is FURTHER ORDERED that time is  
19 excluded pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), from  
20 October 17, 2011 to November 14, 2011.

21  
22 DATED: \_\_10/17/11

23   
HON. SAUNDRA BROWN ARMSTRONG  
24 United States District Judge  
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